

**Pat Moeller**  
Mayor

**Carla Fiehrer** **Matthew Von Stein**  
Vice Mayor Council Member

**Kathleen Klink**  
Council Member

**Rob Wile**  
Council Member

**Robert Brown**  
Council Member

**Timothy Naab**  
Council Member

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## **2 Public Hearings**

### **Call to Order**

Present: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller

### **Offering of Prayer** – Council Member Carla Fiehrer

### **Pledge of Allegiance**

### **Special Presentations by City Council or the City Manager/ Proclamations/ Verbal Reports**

1. National Association of Letter Carriers Stamp Out Hunger Food Drive Proclamation
2. Municipal Arborist Update by David Bienemann
3. Arbor Day Proclamation

### **Audience of Citizens**

Individuals who wish to make comments regarding items scheduled on the Agenda may speak during this part of the agenda or may reserve the right to speak specifically when that item is up for a vote on Council floor. Individuals who wish to speak regarding items not specifically scheduled may do so at this time. All individuals who intend to address City Council are required to sign in at the table in the back of the room. Each speaker is allowed 5 minutes.

Chris Haynes, State Commander of the VFW, wanted to share some of what the VFW has achieved this past year. Their membership has increased, with younger veterans coming back from the Middle East, and they are reaching out to Vietnam Veterans who have not joined. There are 366 posts around the state that take care of veterans and work on community projects. He was grateful to be the State Commander and is nearing the end of his term. His goal is to bring another VFW post to Hamilton and will be working towards that after his term expires.

Donna Marie of ArtSpace P.O. Box 624 and Jessica Jackson of Middletown 45044 spoke about an event they were organizing called the 24-Hour Prayer Walk. It is an outreach event that will be taking place on May 27<sup>th</sup> and 28<sup>th</sup>. The actual walk will start at 7PM on the 27<sup>th</sup> to 7PM on the 28<sup>th</sup>. They are going to pray over certain neighborhoods as they walk. Speakers will be present as well at the event and they hope that this will be an empowering event for the community. Speakers will also present after the walk as well.

Jim Lonneman of 701 Pyramid Hill Blvd Hamilton, discussed the heroin epidemic in Hamilton. Lonneman wanted to know what the police department is doing to combat the drug problem. The Mayor responded by commenting that many organizations are working together to fight this epidemic and that the Hamilton Police Department is educating citizens about the drug and trying to get the dealers off the streets. The Mayor went on to say that this is a large nationwide issue with no easy fix and that it will take some time but he is confident that it can be done and that our judges will seek maximum sentences for drug dealers.

Dave Crouch of 4100 Nichols Road in Oxford, stated that he is originally from Hamilton, having lived where Jocko's is now located on East High Street. He believed that growing up in Hamilton in the 1950s and 1960s was the best experience of his life. He wanted to tell Council that he believes that this City Council is doing a good job. Even though he does not



live in Hamilton he believes that the City is heading in the right direction and he can appreciate the struggle that it takes to bring back business like Hamilton has accomplished, as he worked in local government for a number of years. Crouch thanked Council again and left.

### **Consent Agenda**

The Consent Agenda is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Agenda. Anyone may request an item on this calendar to be "pulled" off the Consent Agenda and considered separately. Agenda items pulled from the Consent Agenda will be considered separately under Pulled Consent Items.

- Approval of Minutes
- All Staff Reports
- Receive and File
- Committee of the Whole Report (Includes all Caucus Reports)
- Informational Report – Regarding the March 2016 Financial Report
- Informational Report – Regarding the March 2016 Investment Report
- Informational Report – Regarding the Purposed Revision to the Civil Service Commission (CSC) Rules and Regulations Rule III (Examinations), Section 10

### **Caucus Agenda April 27, 2016**

Motion by Brown, seconded by Naab that with the exception of the items so noted, Council receive the reports of the Consent Agenda and concur in their recommendations. Council Member Von Stein voiced his opinion about pulling item number 1 and that he believed that there was already enough car lots on Route 4.

Motion by Von Stein, seconded by Klink to pull Caucus Agenda item number 1. Motion Carried.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

Bud Scharf of the Planning Department and City Manager Joshua Smith explained the approval process. City Council could pass the legislation at the appropriate time with conditions that they place or deny the rezoning. Council Member Naab was curious as to why Mr. Kelly did not propose this for his own business but instead went through CDA. Scharf stated that he believed that Mr. Dingeldein had done the site layout and drawings for site improvements. Council Member Wile asked if the car lot was not permitted under B-2 zoning. Scharf said it is a permitted use as long as it also receives a conditional use. Vice Mayor Fiehrer was curious as to how many car lots are now on Route 4 as there are a lot of them. Council Member Klink had concerns about a sea of car lots throughout a main thoroughfare and that another car lot is just adding to an unattractive problem. Council Member Naab agreed with Council Member Klink about the City trying to beautify the City and these car lots may hurt the City's image. Vice mayor Fiehrer wanted to know if there was a business group on Route 4 of business owners. City Manager Joshua Smith commented that there used to be such a group, but they have not had any formal meetings since 2011 or 2012.

Motion by Naab, seconded by Klink that with the exception of the item number 1, Council has received the reports of the Consent Agenda and concur in their recommendations. Motion carried.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)



1. Recommendation Relative to a **Request by Mike Dingeldein of Community Design Alliance, on behalf of Robert Shane Kelly, for a Conditional Use to allow the expansion of an existing Automobile Sales facility to operate on the property zoned B-2 Community Business District located at 2128 & 2204 Dixie Highway. (Mike Dingeldein of Community Design Alliance/Robert Shane Kelly, Applicant/Applicant).**
2. Recommendation Relative to a **Request by Thomas Britt for a Conditional Use to allow the establishment of an Automobile Sales facility (Special Interest Auto Sales LLC) on property zoned I-2 Industrial District located at 3720 Symmes Road (Thomas Britt/Carol Besl, Applicant/Owner).**
3. Recommendation Relative to a **Request for a Conditional Use to allow the establishment of a Drive-Through Facility (i.e. retail/commercial establishment) to operate on property located at NW corner of Central Avenue and Knightsbridge Drive (Jeffrey Sackenheim, Applicant/Frank Pfirman, Gunnar Realty, LTD, Owner).**

Motion by Wile, seconded by Fiehrer that Council has received report number 1 of the Consent Agenda and received its recommendations. Motion carried.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

### **Public Hearings**

Motion by Klink, seconded by Brown that the regular meeting be recessed and the following public hearings take place. Motion Carried. **Time: 6:59 p.m.**

4. A public hearing regarding a request to amend the Zoning Ordinance of the City of Hamilton, Ohio: Section 1108.00 Definitions and Section 1125.00 Industrial Planned Development District.

Motion by Klink, seconded by Naab that the public hearing be closed. Motion Carried. **Time: 7:00 p.m.**

5. A public hearing regarding a request to Rezone 115 Dayton (City Lot Nos. 31128), located in the City of Hamilton, Second Ward North Side, from B-3 Central Business District to DT-2 Downtown Support District. (City of Hamilton, Applicant).

Motion by Naab, seconded by Von Stein that the public hearing be closed. Motion Carried. **Time: 7:01 p.m.**

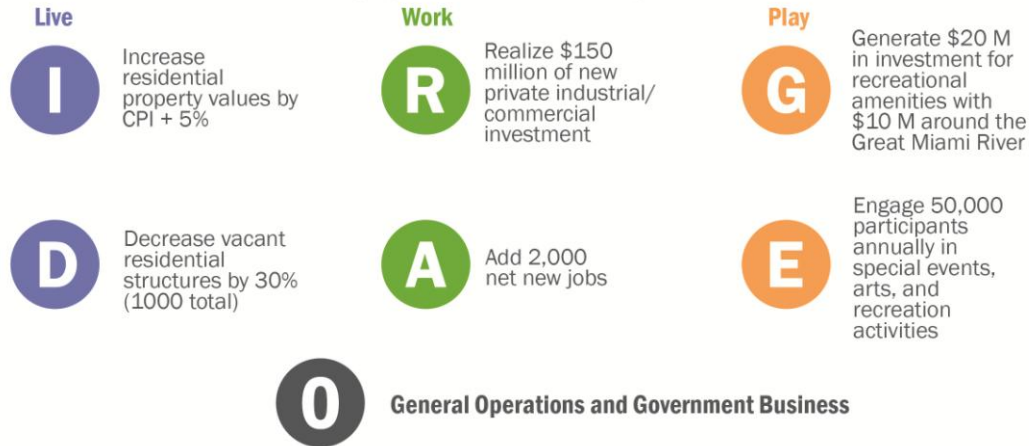
Motion by Brown, seconded by Von Stein that the regular meeting be reconvened. Motion Carried. **Time: 7:01 p.m.**

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)



**These icons illustrate which strategic goals Council Actions align to**



**Council Actions Pertaining to Legislative Items:**

Motion by Klink, seconded by Fiehrer that a note be made upon the minutes that each member of Council was furnished a printed copy of each item of legislation prior to its being considered at this meeting. **Motion adopted unanimously**

**Pending Legislation:**

- An Emergency Ordinance waiving requirements of Chapter 169 of the Codified Ordinances of the City of Hamilton, Ohio, ratifying bid process and approving award of 2016 Miscellaneous Water Main Replacements Contract to Adleta Construction. (Second Reading). ①

Motion by Fiehrer, seconded by Von Stein that the ordinance be adopted.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

- An Emergency Ordinance waiving requirements of Chapter 169 of the Codified Ordinances of the City of Hamilton, Ohio, ratifying bid process and approving award of 2016 Miscellaneous Natural Gas Main Replacements Contract to Premier Energy Services, LLC. (Second Reading). ①

Motion by Brown, seconded by Naab that the ordinance be adopted.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

**New Legislation:**

- An ordinance amending various portions of the City of Hamilton Zoning Ordinance No. 7503, regarding the Industrial Planned Development (IPD) Zoning District. (First Reading). ①
- An ordinance amending various portions of the City of Hamilton Zoning Ordinance No. 7503, relative to section 1108.00 regarding adult businesses i.e. sexual encounter establishments. (First Reading). ①



10. An ordinance amending Zoning Ordinance No. 7503 by changing the zoning of vacant property located at 115 Dayton Street, (City Lot No. 31128), located in the City of Hamilton, Second Ward, from B-3 Central Business District to DT-2 Downtown Support District. (City of Hamilton, Applicant). (First Reading). **R O**
11. An ordinance approving the final or official record plat of the General Scott Subdivision, located in the First Ward South Side, City of Hamilton, Butler County, Ohio. (General Scott LLC, Applicant). (First Reading). **O**
12. An ordinance Amending, Transferring and Appropriating up to \$50,802 of Fiscal Year 2015-16 Community Development Block Grant (CDBG) Program Funds. (First Reading). **I E**
13. An Emergency Ordinance levying special assessments for public improvements in accordance with Resolution Numbers R2014-2-13 adopted February 12, 2014 and R2012-6-30, adopted June 27, 2012, relative to the construction and repair of existing sidewalks, curbs and gutters on various streets and avenues in the City of Hamilton, Ohio. (Final Assessment Rolls for the 2013 Street Resurfacing and Concrete Repair Program). (Two Readings). **I O**

Motion by Wile, seconded by Fiehrer that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

Motion by Wile, seconded by Fiehrer that the ordinance be adopted.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

14. An Emergency Ordinance authorizing and directing the execution and delivery of a Closing Agreement with American Municipal Power, Inc. and related closing documents in connection with the sale of a 48.6% undivided ownership interest in the Greenup Hydroelectric Project pursuant to the Meldahl-Greenup Participation Agreement, dated March 1, 2009. (Two Readings). **O**

Motion by Fiehrer, seconded by Von Stein that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

Motion by Fiehrer, seconded by Von Stein that the ordinance be adopted.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

15. A resolution authorizing and approving certain additional services, in coordination and cooperation with the Butler County Transportation Improvement District, for the South Hamilton Crossing Project, and amendment of Intergovernmental Agreement. **I D A R G E O**

Motion by Brown, seconded by Klink that the resolution be adopted.

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)



NAYS:

(0)

**Audience of the City Manager**

There are a lot of projects being developed and started right now in the City of Hamilton and it is an exciting time. The City Manager would like to establish a monthly meeting to discuss how these projects are going and how they tie into each other. An example of this would be the bike ramp that will be constructed by RiversEdge for the newly designed Marcum Park. City Manager Smith believed that this path would be significant to help capture some of the bike traffic that goes through Hamilton, similar to how Loveland is able to capture bike traffic on the Little Miami Scenic Trail. But he believed that this project meeting should be a high level meeting similar to a City Council Meeting, with different department heads meeting to discuss in more depth their projects. This is due to City Council only meeting twice a month and it is hard to properly go through all of the projects that are being developed. City Manager Smith invited Brandon Saurber of the Strategy and Information Department to give an update to the annual strategic retreat that was held in January. Saurber said that the first quarterly update on the Strategic Plan will be out at the end of the week and that there will be another strategy meeting in June.

City Manager Smith spoke about the completion of Meldahl Hydroelectric Power Plant and how this project is the most significant monetary project the City has probably ever embarked on. A special Chamber of Commerce meeting is taking place on Tuesday May 10<sup>th</sup> due to the departure of Kenny Craig and he believes that the City has an opportunity to create an even better relationship with the Chamber with the new leadership.

**Audience of City Council**

Council Member Wile believed that it is important that the City's multiple commissions and boards need to carry the message of the City's Strategic Plan. He believed that the City needs to champion its own message so it can get to different outside groups and a good example of where it is not getting out is Route 4. Council Member Wile then brought up that on June 18<sup>th</sup> the Great Ohio Bicycle Adventure will be bringing 2,000 cyclists at the beginning of the week and at the end of the week. Council Member Wile believed that the downtown businesses need to be aware of events like this on Saturday to take advantage of this event.

Council Member Klink discussed the Booker T. Washington's 82<sup>nd</sup> Annual Dinner Celebration that will be on Saturday May 21<sup>st</sup> and she urged Council to be in attendance.

Council Member Brown discussed that there will be a meeting on May 13<sup>th</sup> at 3pm in the seventh floor conference room regarding the Genesis Center and he believed that the City needed to be advocates against drugs. There will be several doctors in attendance and would like to see others in attendance like Chief Bucheit.

Council Member Naab reiterated that the City needed to be carrying the same message especially during all of the events that will be coming to Hamilton this summer. He hoped that the City would get the message out to businesses to be open during the various special events that will be held. There is also a Finance Meeting this Friday April 29<sup>th</sup> at 8AM in the Finance Department.





**Executive Session**

Motion by Von Stein, seconded by Fiehrer that Council recess from the regular meeting and convene to an executive session for the following purposes:

- To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.
- To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.

**Motion adopted at: 7:26 p.m. by the following roll call vote to go into executive session:**

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)

**Adjournment**

Motion by Brown, seconded by Von Stein to adjourn the regular meeting at 8:17 p.m. by the following roll call vote:

YEAS: Fiehrer, Von Stein, Klink, Wile, Brown, Naab, Moeller (7)

NAYS: (0)